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**DEC 21 2007**

**OFFICE OF PETITIONS**

In re Application of :  
Alexander Ivanovich Taran :  
Application No. 09/830,635 :  
Filed: 08/02/2001 :  
Attorney Docket No. VALER11.001APC :

DECISION ON PETITION

This is decision on the petition under 37 CFR 1.137(b), filed October 17, 2007, to revive the above-identified application.

On March 25, 2005, the Office mailed a nonfinal Office action, which set a three-month shortened statutory period for reply. In the absence of a timely filed response, the application became abandoned on June 26, 2005. On November 16, 2005, the Office mailed a Notice of Abandonment. On August 10, 2006, petitioner filed a petition to withdraw the holding of abandonment in the above-identified application, which was dismissed by the decision of January 24, 2007.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, (2) the petition fee, and (3) a proper statement of unintentional delay.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Since the \$525.00 extension of time fee submitted with the petition on October 17, 2007, was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to the deposit account

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3211.

This application is being referred to Technology Center AU 2136 for appropriate action by the Examiner in the normal course of business on the reply received October 4, 2007.

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